5-16-05

PTO/SB/21 (08-03 Approved for use through 08/30/03. OMB 0651-0031 e type a plus sign (+) inside this box -> U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE er the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/805,036 **TRANSMITTAL Filing Date** March 16, 2004 **FORM** First Named Inventor Stephen D. Pacetti (to be used for all correspondence after initial filing) **Group Art Unit** 1614 Unknown **Examiner Name** Total Number of Pages in This Submission **Attorney Docket Number** 146 50623.311 (excluding references) ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication to Deposit Account 07-1850 Authorization (for an Application) Group Drawing(s) Formal Sheets with Appeal Communication to Board of Appeals and Interferences Postage Paid Return Postcard Submission of Formal Drawings (1 page) (in duplicate) Issue Fee Transmittal with PTO-85b Appeal Communication to Group Preliminary Amendment with (Appeal Notice, Brief, Reply Brief) Appendices A and B (145 pages) (in duplicate) Amendment Transmittal Letter (1 Request for Continued Examination Proprietary Information Transmittal (RCE) page) (in duplicate) Fee Transmittal Form (in duplicate) Request for Status of Application Affidavits/declaration(s) Power of Attorney, Revocation Other Enclosure(s) Petition for Extension of Time (_ Change of Correspondence Address (please identify below): 2 Referencesmonths) (1 page) (in duplicate) Terminal Disclaimer Information Disclosure Statement with Form PTO-1449 citing ___ Statement of Common Ownership References Express Mail Label No. CD, Number of CD(s) EV 337977945 US Certified Copy of Priority Remarks Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Squire, Sanders & Dempsey L.L.P. Brian S. Boyer, Ph.D., Reg. No. 52,643 Individual name Signature Date May 12, 2005 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 12, 2005 Rebecca M. Klits Typed or printed name May12#, 2005 Date m. Signature Tepecca

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Pacetti

Serial No.:

10/805,036

Examiner:

Unknown

Filed:

March 16, 2004

Art Unit:

Unknown

Title:

Biologically Absorbable Coatings for Implantable Devices Based on Copolymers Having Ester Bonds and Methods for Fabricating the Same

Commissioner for Patents P.O. Box 1450 Washington, D.C. 20231

PRELIMINARY AMENDMENT 37 C.F.R. § 1.115

Dear Examiner:

This preliminary amendment has been filed as a second preliminary amendment, and the first preliminary amendment was filed May 28, 2004. This amendment contains the amendments made in the first preliminary amendment in addition to the amendments explained below. All amendments have been incorporated in a substitute specification.

Clean and marked-up versions of the substitute specification are attached in Appendices A and B, respectively.

Please amend the above-identified application as indicated below.

The Listing of Claims begins on page 2 of this Amendment.

The Amendments to the Specification begin on page 30 of this Amendment.

The Remarks begin on page 31 of this Amendment.